



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 4350
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,306	05/29/2001	Ki J. Yoon	2529-000059	6141

27572 7590 11/15/2005

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER

REID, CHERYL M

ART UNIT PAPER NUMBER

2142

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/867,306

Applicant(s)

YOON ET AL.

Examiner

Cheryl M. Reid

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 10-11 have been examined.

Response to Amendment

2. Applicant has failed to state where in the specification support can be found for the amended (new) claims in his response to the office action. Applicant is reminded that he is responsible for point out where in the specifications support can be found for the amended, in this case, new claims.

Claim Objections

3. Claim 10 is objected to because of the following noted minor informalities. In this case, claim 10 makes use of non-obvious acronyms. These are suggested to be spelled-out where initially recited. For example, claim 10, recites "GBE module", it is suggested that Applicant spells GBE out.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The grammar that is used is unclear; as a result Examiner

Art Unit: 2142

does not understand what Applicant is saying. In particular, Examiner is unclear about the following phrase, " for changing public IP address into private IP address **by constructing a network to public IP address area and private IP address area.**"

Examiner is interpreting the phrase as follows: " network changes public IP address into private IP address."

5. Applicant failed to define a GBE module in the specifications, therefore Examiner has difficulty understanding the following phrase: " a plurality of giga lines for connecting the switching hubs by using a GBE module in each switching hub to thereby integrate the private IP networks into the integrated network." Examiner is interpreting the above phrase as follows: " a plurality of giga lines for connecting the switching hubs , integrating the private IP networks into the integrated network."

6. Claim 10 recites " integrate the private IP networks into the integrated network." Examiner has failed to find support for this limitation in the specifications. The only mention of integrate/integration in the specifications is in the background, where Applicant discusses related prior art (paragraph 0005, 0024 of the publication). Accordingly, Examiner is interpreting "integrated network," as network.

7. Applicant has failed to define L4 switch. Examiner is interpreting 'L4 switch' as a switch because this gives the broadest reasonable interpretation.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2142

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over of Newman et al (US 6948003) in view Adrangi et al (US 6687846).

9. In regards to claim 10, Newman teaches of: changing public IP address into private IP address (col 7, lines 15-30), integrating the private IP networks into the integrated network (fig 1), wherein the private IP networks (item 162a-162c) and the integrated network (access network, item 120), customer server connected to the switch (item 152) by means of the private IP networks (fig 1), Examiner is interpreting "customer server," as server because this gives the broadest reasonable interpretation. Newman teaches of switching hub (item 152) connected to the IDC (item 150) (fig 1) but doesn't not explicitly teach of a plurality of hubs. Newman also does not explicitly teach of the remaining limitations. In an analogous art, Adrangi teaches of: a plurality of hubs connected to each giga port of the IDC (fig 2, fig 4), Examiner is interpreting "giga port" as port because this gives the broadest reasonable interpretation; a switch connected to the switching hub for performing the server load balancing (col 9, lines 15-35, fig 7, fig 12). Adrangi implicitly teaches of a GLB server, connected to a switching hub, for finding a shortest path for a client computer to connect to a server residing in an IDC (fig 5, col 9, lines 15-35), wherein Adrangi teaches of the GLB server using policy such as location of the client computer to determine the "most appropriate" site to handle the request. It would have been obvious to one of ordinary skill in the arts at the time of invention to incorporate the above teachings because the inventions are analogous art

Art Unit: 2142

(i.e. relates to the field of providing network services). Newman's invention relates to providing intranet services (VPN). Adrangi teaches that his inventions can be implemented on a VPN system (col 4, lines 45-50, col 1, lines 9-11). One of ordinary skill in the art at the time of invention would have been motivated because adding the above-features would result in a VPN system that provides fault protection, which is desirable as discussed by Newman (col 3, lines 5-50).

10. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Newman and Adrangi as applied to claim 10 above, and further in view of Rao (US 6789118).

11. In regards to claim 11, Newman teaches of: the switching hub assigns private IP addresses, the private IP address being different in accordance with service types (col 7, lines 15-35) but does not teach of the remaining limitations. Adrangi teaches of using a co-location service (col 2, lines 35-40, 30-40), the client computer connected to the IDC center connects with the switch, and a GLB server connected to a first switch hub performs the global load balancing, the first switching hub being one of the switching hubs that the client computer first connect with (fig 7, 12, col 9, lines 10-35). Adrangi does not explicitly teach of the remaining limitations. In an analogous art, Rao teaches of: a user authentication server performs a packet filtering and a user authentication server performs a user authentication (col 9, lines 50-60, col 10, lines 20-25). It would have been obvious to one of ordinary skill in the arts at the time of invention to incorporate the above teachings because the inventions are analogous art (i.e. relates to the field of providing network services). Newman's invention relates to providing

Art Unit: 2142

intranet services (VPN). Adrangi (col 4, lines 45-50, col 1, lines 9-11) and Rao (col 9, lines 30-35) teaches that their inventions can be implemented on a VPN system. One of ordinary skill in the art at the time of invention would have been motivated because adding the above-features would result in a VPN system that provides fault protection which is desirable as discussed by Newman (col 3, lines 5-50) and the reasons discussed by Rao (col 2, lines 1-10).

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2142

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M. Reid whose telephone number is 571 272 3903. The examiner can normally be reached on Mon- Fri (7-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


BEATRIZ PRIETO
PRIMARY EXAMINER

cmr